IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdicition

Dated: Nainital: the 10th day of October, 2006
First Bail Application No. 929 of 2006

Criminal Side

Mohd. Umar @ Guddu
S/o Sri Habib Ahmad
R/o Moh. Maheshpura
P.S. Kashipur
District Udham Singh Nagar

.....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of Crime No. 2445 of 2006
Under Section: 302 I.P.C.
P.S.: Kashipur
District: Udham Singh Nagar

Hon'ble Prafulla C. Pant, J.

Heard Shri Mohd. Azim and Shri B.S. Parihar, learned counsel for the applicant and Shri Amit Bhatt, learned A.G.A. for the State.

Applicant- Mohd. Umar alias Guddu, who is in jail in connection with crime No. 2445 of 2006, relating to offence punishable under Section 302 I.P.C., P.S. Kashipur, District- Udham Singh Nagar, has sought his release on bail.

Applicant is not named in the First Information Report nor is there any eye-witness of commission of crime. It is not clear at this stage what is the role of applicant in connection of crime. The knife used in the crime, which is said to have been recovered was allegedly found in the possession of another accused Sagir Ahmad.

Without expressing any opinion as to the final merits of the case, applicant deserves bail. Let the applicant-Mohd. Umar be released on bail on executing personal bond and on furnishing two sureties, each of the like amount to the satisfaction of the Magistrate concerned.

(Prafulla C. pant, J.)

Dt. 10.10.2006
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